

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

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DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	C.A. No. 04-379 Erie
)	
U.S. JUSTICE DEPT. et. al.,)	
Defendants.)	

MOTION FOR SECOND EXTENSION OF TIME

COMES NOW, DEMETRIUS BROWN, herein as Plaintiff, proceeding Pro-Se, hereby moves this Honorable Court, the United States District Court for the Western District of Pennsylvania, Erie Division for Motion Extending a Second Time, the Time to Respond to Defendants' Motion for Substitution of Party, Motion to Strike Demand for Trial by Jury, and Motion to Dismiss, or in the alternative, Motion for Summary Judgment. In support, Plaintiff affirms that:

1. The Defendants submitted said motions for electronic filing on January 3, 2006.
2. The Plaintiff did receive on January 9, 2006, service of said motions filed into court by Defendants.
3. The Plaintiff's initial time for reply was 20 days from service of said motions, that being January 23, 2006.
4. The Plaintiff, on January 10, 2006 submitted Motion for Extension of Time.

5. The Court, on January 17, 2006 granted Plaintiff's Motion for Extension of Time to File Response/Reply. That, the Court ordered Plaintiff's response due by February 7, 2006.

6. The Plaintiff is appearing in propria persona, without counsel.

7. The Defendants' motions are voluminous and additional time is needed to complete writing and the crafting of a response to each defense raised by Defendants.

8. The Defendant's motions are replete with case law which Plaintiff needing more time to research.

9. The Plaintiff recognizing the fact that he has had to share the limited resources of typewriters, and is only able to obtain one when available amongst other prisoners.

10. The Plaintiff having the obligation to perform institutional work assignments daily from Sunday thru Thursday is precluded from making the hasty demands of replying to Defendants' motion as timely and should be given more time in addition to that already granted by the Court to respond.

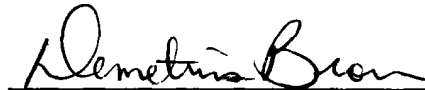
11. The Plaintiff having cognizance of the fact that his previous request for Extension of Time being partially based upon the correctional institution reducing the Law Library hours coincidental to his response time, is apparently aware now that the institution has, in a pattern, reduced Law Library hours again. That, Law Library hours will be greatly reduced during the week of January 30 thru February 3, 2006.

1/30/06

Dear Clerk of Court:

Enclosed you will find one (1) original copy of a Motion for Second Extension of Time. Please file with the Court accordingly. Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Demetrius Brown", is written over a horizontal line.

Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977

cc:file
db/db

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C.A. No. 04-379 Erie

PROOF OF SERVICE

I, DEMETRIUS BROWN, do swear or declare that on this date, January 30 2006, as required by Fed.R.Civ.P. 4, I have served the enclosed SECOND MOTION FOR EXTENSION OF TIME on each party to the above proceeding or that of party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in FCI RayBrook's internal mail system for mail in the United States, mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as follows:

MEGAN E. FARRELL	at	700 Grant St. Suite 4000
Assistant U.S. Attorney		Pittsburgh, PA. 15219
Western District of PA		(412) 894-7429
		PA ID #76972

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 30, 2006

Demetrius Brown